

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ADONIS ZABALA	:	CIVIL ACTION
	:	
Plaintiff	:	
	:	
v.	:	NO. 10-787
	:	
CITY OF PHILADELPHIA, et al.	:	
	:	
Defendants	:	

FIRST AMENDED SCHEDULING ORDER

AND NOW, this 9th day of November 2010, upon referral of Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c) and Local R. Civ. P. 72.1.III(b), and following upon an unrecorded telephone conference with counsel held on November 9, 2010, **IT IS HEREBY ORDERED THAT:**

1. Completion of all discovery is extended until **Friday, January 7, 2011.**
2. Any dispositive motions, as well as any motions *in limine*, shall be filed on or before **Friday, January 14, 2011.**
3. Any response to any such motions shall be filed on or before fourteen (14) calendar days after service of any such motions.
4. Any reply to any response to any such motions shall be filed on or before seven (7) days after service of any response.
5. The parties shall file Pretrial Memoranda consistent with Rule 16.1(c) of the Local Rules of Civil Procedure. The memoranda also shall identify any expert

witness(es) that the party expects to call and append the curriculum vitae and report of the expert(s). Plaintiff's Memorandum shall be filed by **Wednesday, March 9, 2011**. Defendants' Memorandum shall be filed by **Friday, March 11, 2011**.

6. In the event a party intends to offer a deposition (whether videotaped or transcribed) at trial, the Court expects that any objections will have been resolved prior to beginning the presentation of the evidence to the jury. Accordingly, any party intending to offer a deposition at trial shall advise the other parties of its designations on or before **Tuesday, March 1, 2011**. Counsel shall then meet and confer to resolve any objections within one week of the designations having been communicated. Where a ruling is necessary regarding any unresolved objections, counsel shall submit to the Court, on or before **Wednesday, March 9, 2011**, a copy of the relevant portion(s) of the deposition transcript and a separate list setting forth the page and line numbers of each objection, with the grounds for the objection.
7. It is expected that counsel will work out stipulations as to uncontested facts and the authenticity or genuineness of all exhibits, including non-documentary items, documents, photographs, and data, as set forth in Local R. Civ. P. 16.1(d)(2)(b)(A-E). The authenticity of all exhibits will be deemed established unless written objection is filed on or before **Monday, March 14, 2011**.

8. The parties are required to submit proposed jury instructions on substantive issues and a verdict form on or before **Friday, March 11, 2011**. It will be acceptable to submit instructions that make reference to the current edition of the Pennsylvania Standard Suggested Jury Instructions and/or the Third Circuit Model Civil Jury Instructions. To the extent that a party seeks a charge not included in either of these sources, that party is required to submit a proposed charge with no more than two (2) pertinent citations in support.
9. Any proposed voir dire questions shall be submitted to the Court on or before **Friday, March 11, 2011**.
10. Counsel shall provide to the Court and to the opposing party the exhibits they intend to offer at trial no later than **Friday, March 11, 2011**. The set shall be compiled in a notebook and accompanied by an index briefly identifying each exhibit.
11. A final pretrial conference will be held on **Monday, March 14, 2011 at 4:30 p.m.** by telephone. The Court asks counsel for Plaintiff to initiate this call. Counsel shall be prepared to discuss any pending unresolved issues relating to the trial.
12. Trial by jury shall commence on **Wednesday, March 16, 2011 at 9:30 a.m.** in Courtroom 3-H. Counsel should consider themselves attached for trial as of that date.

13. Unless stipulated to by all affected parties and approved by the Court, or by Order of Court so as to avoid manifest injustice, only those exhibits, discovery items, and witnesses identified in the manner set forth in this Order shall be considered by the Court for admission into evidence at trial.
14. The parties shall follow Judge Strawbridge's pretrial and trial procedures (available on the Clerk's Office website at <http://www.paed.uscourts.gov>).
15. If at any point counsel have reason to believe a further settlement conference would be beneficial in this case, they should inform Chambers.

BY THE COURT:

/s/ David R. Strawbridge
DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE